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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,160	06/27/2000	John Du	PM 263635 P7960	5511

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,160

Applicant(s)

DU ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-19 are presented for examination.
2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following terms lack proper antecedent basis:

- i. As per claim 1, line 10, "the fourth server."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 and 11-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnett et al. (US 6,369,840 B1).

5. As per claim 11, Barnett teaches the invention as claimed including a method of automatically updating a predetermined calendar linked to a network [col. 1, lines 7-10], comprising:

forwarding update data to a locator [1502, Fig. 15], wherein the locator is linked to the network [1501, 1502, Fig. 2];

locating the predetermined calendar using subscriber data stored in the locator [col. 8, lines 1-10; col. 10, lines 23-42];

forwarding the update data from the locator to a first server [106, Fig. 1], wherein the first server is linked to the network and linked to the predetermined calendar [Fig. 1]; and

using the update data to update the predetermined calendar corresponding to the subscriber data [col. 8, lines 1-10; col. 10, lines 43-53].

6. As per claim 12, Barnett teaches the step of forwarding an Automatic Subscriber message or a Non-Automatic Subscriber message to subscribers through the network [col. 9, line 48 – col. 10, line 10; col. 11, lines 52-55].

7. As per claim 13, Barnett teaches that the network is the Internet [col. 4, lines 61-65].

8. As per claim 14, Barnett teaches that the predetermined calendar is stored in a second server which is linked to the first server [104, 106, 114, Fig. 1].

9. As per claim 15, Barnett teaches that the predetermined calendar is a commercially available Internet linked calendar [Figs. 4-13].
10. As per claims 16-19, since they are program claims of claims 11 and 13-15, they are rejected for the same basis as claims 11 and 13-15 above.
11. As per claim 1, Barnett teaches the invention as claimed including a system for automatically updating a predetermined calendar linked to a network [col. 1, lines 5-10], comprising:
 - a first server linked to the network [102, Fig. 1; col. 5, lines 20-22];
 - a second server [104, 114, Fig. 1] linked to the first server, to store an events page [col. 5, lines 44-49 & 55-58];
 - a third server [106, Fig. 1; 122, Fig. 1B], linked to the first server and the second server to edit the events page [col. 6, lines 38-40; col. 9, lines 28-32];
 - a locator [1502, Fig. 15] linked to the network, the locator is configured to receive update data from the third server and locates the predetermined calendar [col. 10, lines 23-42]; and
 - a fifth server [2201, Fig. 22] linked to the network and to the predetermined calendar, wherein the fifth server receives the update data from a fourth server [col. 6, lines 40-43; col. 20, lines 21-27], and the fifth server automatically updates the predetermined calendar in accordance with the update data [col. 8, lines 1-10; col. 22, lines 11-14; col. 24, lines 14-17].

12. As per claim 2, Barnett teaches that the update data includes an updated events page [Fig. 7A-B].

13. As per claim 3, Barnett teaches that the network is the Internet [col. 4, lines 61-65].

14. As per claim 4, Barnett teaches that the locator and the fifth server are linked to the network via at least one of a telephone line, a dedicated computer connection, a satellite connection and a cellular telephone network connection [col. 4, lines 57-58 & 61-65].

15. As per claim 5, Barnett teaches that the third server and the second server are linked to the first server via a Hyper Text Transfer Protocol link or a Transport Control Protocol link [col. 4, lines 53-58].

16. As per claim 6, Barnett teaches that the predetermined calendar is stored in a sixth server which is linked to the fifth server [2206, Fig. 22].

17. As per claims 7 and 8, Barnett teaches that the update data is converted to correspond to the predetermined calendar, wherein is a commercially available Internet linked calendar [Figs. 4-13].

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett et al. (US 6,369,840 B1) as applied to claims 1-8 and 11-19 above.

20. As per claims 9 and 10, Barnett teaches the invention substantially a claimed in claim 1. Barnett does not specifically teach that the locator comprises an-email interface for forwarding a message via e-mail after the events page has been edited. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add an e-mail notification step in Barnett 's system because doing so would bring convenience to users by notifying them automatically when any change has been made for the events they are interested in. One of ordinary skill in the art would have been motivated to modify Barnett 's system with an e-mail notification step to improve the integrity of the system.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Silverberg (US 6,216,110 B1) discloses a calendar publishing system;
Wang et al. (US 6,018,343) discloses a web calendar system;
Augustine et al. (US 6,574,630) discloses an event notification system;
Lawson et al. (US 6,185,613) discloses an event notification and delivering
system;
Bunney et al. (US 6,466,696) discloses a notification system; and
Ruckdashel (US 6,144,942) discloses an event notifying system.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for Group 2100 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

August 5, 2003


ZARNI MAUNG
PRIMARY EXAMINER